

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 8-13 are now present in the application. Claims 8 and 10 have been amended. Claims 12 and 13 have been added. Claims 8 and 10 are independent. Reconsideration of this application, as amended, is respectfully requested.

Reasons For Entry Of Amendments

Applicant submits that this Amendment was not presented at an earlier date in view of the fact that Applicant is responding to a new ground of rejection set forth in the Final Office Action. In accordance with the requirements of 37 C.F.R. §1.116, Applicant respectfully requests entry and consideration of the foregoing amendments.

Claim Rejections Under 35 U.S.C. § 103

Claims 8-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Sallee, U.S. Patent No. 5,976,643, in view of Constantinescu, U.S. Patent Application Publication No. US 2002/0113346. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection as set forth in the Office Action, and is not being repeated here.

While not conceding to the Examiner's rejections, but merely to expedite prosecution, as the Examiner will note, independent claims 8 and 10 have been amended to recite a combination of elements including "said laying board having a pair of guide grooves formed in a peripheral wall part of said each root portion pot at positions opposing to each other through the opening of said root

portion pot” and “each of the guide grooves is a recess extending in a vertical direction and through the laying board.” Support for the above combination of elements as set forth in amended independent claims 8 and 10 can be found at least in FIGs. 9, 10 and 12-14 as originally filed. Applicant respectfully submits that the above combination of elements set forth in claims 1 and 8 is not disclosed or suggested by the references relied on by the Examiner.

In particular, the Examiner referred to Sallee’s extendable ribs 46 of the rivet 40 shown in FIG. 6 as the guide grooves of the claimed invention. However, Sallee’s extendable ribs 46 are not *recesses extending in a vertical direction and through the laying board 100*. In fact, each of Sallee’s extendable ribs 46 is simply a physical element located above the laying board 100 (see FIG. 10). Therefore, Sallee fails to teach “said laying board having a pair of guide grooves formed in a peripheral wall part of said each root portion pot at positions opposing to each other through the opening of said root portion pot” and “*each of the guide grooves is a recess extending in a vertical direction and through the laying board*” as recited in amended claims 8 and 10.

With regard to the Examiner’s reliance on Constantinescu, this reference has only been relied on for its teachings related to the pin tips. This reference also fails to disclose the above combination of elements as set forth in amended independent claim 8 and 10. Accordingly, this reference fail to cure the deficiencies of Sallee.

Accordingly, neither of the utilized references individually or in combination teaches or suggests the limitations of amended independent claims 8 and 10. Therefore, Applicant respectfully submits that amended independent claims 8 and 10 clearly define over the teachings of the utilized references.

In addition, claims 9 and 11 depend, either directly or indirectly, from independent claims 8 and 10, and are therefore allowable based on their respective dependence from independent claims 8 and 10, which are believed to be allowable.

In view of the above remarks, Applicant respectfully submits that claims 8-11 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

Additional Claims

Claims 12 and 13 have been added for the Examiner's consideration. Applicant respectfully submits that claim 12 and 13 respectively depend from amended independent claim 8 and 10, and are therefore allowable based on their respective dependence from amended independent claims 8 and 10, which are believed to be allowable. Consideration and allowance of claims 12 and 13 are respectfully requested.

Conclusion

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

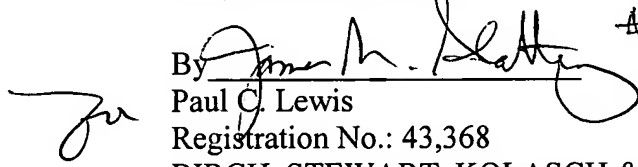
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: March 14, 2008

Respectfully submitted,

By  #28380
Paul C. Lewis
Registration No.: 43,368
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant